Applicant : Leukert-Knapp et al.
Serial No. : 10/706,878
Filed : November 12, 2003
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Attorney's Docket No.: 13906-115US2/2001P00007WOUS01

REMARKS

In the Office Action mailed March 13, 2007, the Examiner rejected all pending claims 20-43. Applicants above have amended the specification, and have amended claims 20, 21 and 32-43. Claims 20-43 remain pending. Applicants respectfully request reconsideration in view of the amendments above and the following remarks.

Double Patenting

Claims 20-43 stand provisionally rejected under 35 U.S.C. 101 as allegedly claiming the same invention as that of claims 20-43 of co-pending Application No. 10/469,336 (the '336 application, for which application the Examiner issued an identical Action as the present Action, rejecting all claims 20-43).

As the undersigned representative advised, in a telephone call to Examiner Tran on June 7, 2007, the Examiner is mistaken as to the claims that are pending in the co-pending '336 application. The claims pending in the co-pending '336 application are not the identical claims as are pending in the present application. Rather, the claims pending in the co-pending '336 application are claims 1-17, as amended in a preliminary amendment filed with a national stage request, on August 27, 2003.

Accordingly, Applicants request that the provisional double patenting rejection be withdrawn.

Claim Rejections – 35 USC 101

Claims 32-43 stand rejected under 35 U.S.C. 101 because the claimed invention allegedly is directed to non-statutory subject matter. Claims 32-43 are directed to "computer-readable medium or propagated signal." The Examiner noted that the specification includes "paper" within the meaning of computer-readable medium.

In other to advance prosecution on the merits, and without prejudice to advance claims of similar scope for example in a continuation application, Applicants have amended the specification to exclude paper as medium within the scope of computer-readable medium, and

have amended claims 32-43 to exclude propagated signals from their scope. These amendments add no new matter. Applicants believe that this addresses all of the concerns raised by the Examiner in the Action.

Accordingly, Applicants respectfully request that the Section 101 rejections of claims 32-43 be withdrawn.

Claim Rejections – 35 USC 102 and 103

Claims 20-26, 28-30, 32-38 and 40-42 stand rejected under 35 U.S.C. 102(e) as being anticipated by Faour et al. ("Faour"), U.S. Patent No. 6,857,017. Of these, claims 20 and 32 are independent claims. The remaining dependent claims 27, 31, 39 and 43 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Faour in view of other references.

Applicants have amended independent claims 20 and 32 to define more particularly the subject matter sought to be patented, and have amended dependent claims 21 and 33 for consistency. The amendments add no new matter.

Applicants submit that claims 20 and 32 each defines subject matter that is patentable over Faour, as do the rejected dependent claims. The fact that Applicants distinguish Faour from the present claims should not be taken as an admission that Faour is properly considered prior art under any provision of 35 U.S.C. 102. Applicants further submit that the secondary references upon which dependent claims 27, 31, 39 and 43 stand rejected do not cure the deficiencies of Faour with respect to the independent claims 20 and 32.

Faour discloses a system for customizing user displays on a computer that includes the generation of events by an event handler in communication with executing applications. (Abstract.) Faour discloses that by registering for selected events, and groups of events, a user may have certain notifications sent to their desktops. (Abstract.) In particular, Faour discloses that a user registers with event router 16 to receive messages about particular types of events when they occur. (Col. 3, lines 3-4; col. 5, lines 16-18.) Faour discloses that Figure 4 shows a table that indicates that event router 16 stores a list of events which are to be routed, and for each event type shown in the table, the users registered to receive events of that type are shown. (Col. 5, lines 8-9.)

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Faour further discloses, with reference to Figure 6, that a CRM application 66 may be used to drive information to the displays of users 68, 70, 72 and 74. (Col. 6, lines 3-4.) Faour discloses that the CRM application 66 will register with the event router 16, rather than having each individual user 68-74 do so, to keep router tables within event router 16 from becoming too large. (Col. 6, lines 7-9.) Faour discloses that each user registers with the CRM application 66, and is assigned a role (e.g., purchaser, support request submitter, etc., as shown in Figure 7), and that role determines which groups of elements (which includes alerts) to which the user has access. (Col. 5, lines 63-64; col. 6, line 11; see also col. 5, lines 39-41, which states that "[i]tems of information sent to a user, including alerts and other information, are referred to as elements.)

Faour also discloses that within each group, the user may select which elements are actually to be displayed on their computer in a dashboard window. (Col. 6, lines 13-15.) Faour discloses that this allows the user to customize the display. (Col. 6, lines 15-16.) Faour discloses that the CRM application 66 maintains tables of all users which may access elements of the systems, the role of each user, and the display list of elements which that user desires to see. (Col. 6, lines 16-19.)

Faour does not disclose or suggest the subject matter of Applicants' claim 20. For example, Faour does not disclose a method for issuing notification messages to users of a computer network, which method includes, as recited in Applicants' claim 20, "creating ... a distribution list of a first group of users to receive notification messages pertaining to a specified one of multiple different computer applications ..., wherein the distribution list is generated, without requiring users to select notification messages they are to receive, by identifying, from stored application-to-role assignment information and from stored user-to-role assignment information, users having a pre-assigned role that is pre-assigned for the specified one business computer application."

By contrast, Faour discloses a system in which users must take affirmative action to register or select the notifications that they are to receive, whether that affirmative action is by registration with the event router 16 as to which notification message types the user wishes to receive (as disclosed at col. 3, lines 3-4, and at col. 5, lines 16-18), or by selection within the CRM application 66 as to which of the allowed elements that the user wishes to be displayed

within the user's dashboard window (as disclosed at col. 6, lines 14-20). As such, and at a minimum, in Faour a distribution list is not generated "without requiring users to select notification messages they are to receive," as is recited in Applicants' claim 20.

The disclosure in Faour of users having assigned roles in a CRM application, and the use of role information in the process of a user selecting, within the CRM application, which notification messages are to be displayed in a dashboard window, is different from what is set forth in Applicants' claim 20. In particular, in Faour, the role information is used to filter which of the different types of notification messages a user is able to select. (Faour, at col. 6, lines 14-20.) Moreover, Faour requires that the user select the elements (e.g., alerts) they are to receive (have displayed), and thus Faour fails to meet the limitation of Applicants' claim 20 that requires that the distribution list be generated "without requiring users to select notification messages they are to receive."

Moreover, Faour is silent as to how any distribution list is "generated." Indeed, there is no disclosure or suggestion of, as is recited in claim 20, "the distribution list being generated ... by identifying, from stored application-to-role assignment information and from stored user-to-role assignment information, users having a pre-assigned role that is a pre-assigned role for the specified one business computer application." Again, any role information that is stored in the Faour system is simply used to prevent a user from making a selection of information of which that user wishes to receive. In other words, Faour simply discloses a method by which users are able to register or select the notifications they wish to receive. This is significantly different from Applicants' claimed method, and thus Faour cannot be said to anticipate or render obvious Applicants' claim 20.

For these reasons, Applicants submit that claim 20 defines subject matter that is patentable over Faour, as do dependent claims 21-31. Applicants further submit that independent claim 32 is also patentable over Faour at least for the reasons discussed above in connection with claim 20, as are dependent claims 33-43. In addition, the references cited in connection with the obviousness rejections of dependent claims do not overcome the above-discussed deficiencies of Faour with respect to Applicants' independent claims.

Accordingly, Applicants respectfully request that the anticipation and obviousness rejections of claims 20-43 be withdrawn.
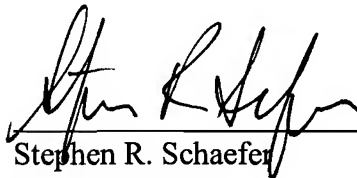
Conclusion

Applicants submit that claims 30-43 are in condition for allowance, and requests that the Examiner issue a notice of allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fee is believed to be due for this Amendment. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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